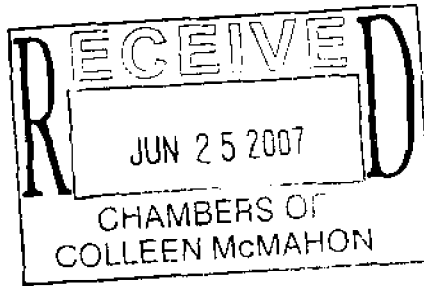


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MEMO ENDORSED

June 25, 2007

VIA FAX ONLY

(212) 805-6326 (New York City) and
(914) 390-4152 (White Plains)

Hon. Colleen McMahon
United States District Judge
United States District Court
for the Southern District of New York
300 Quarropas Street
White Plains, New York 10601

Re: Millennium Pipeline Company, L.L.C. v. Certain Temporary Easement in
322 Sleepy Valley Road [Breakaway Trails, Inc., et. al.]
Civil Action No. 07-CV-5815 (CM)
Our Matter No.: 3024516

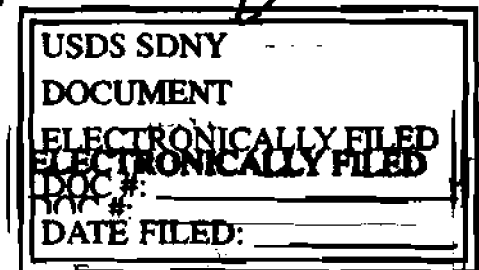
Dear Judge McMahon:

We are the attorneys for Plaintiff Millennium Pipeline Company, L.L.C. On Friday, June 22, 2007, Your Honor granted an Order to Show Cause in this action, returnable in White Plains on **Wednesday, June 27, 2007 at 3 p.m.** (the "Order"). The Order required Plaintiff to serve the Order and all the materials supporting it upon all of the Defendants by hand delivery and fax by 5 p.m. on June 22nd. On the afternoon of June 22, 2007, I wrote to Your Honor, indicating the likely impossibility of complying with the Order's service requirements (as there are 16 defendants spread out over 5 states; see my prior letter) and requesting that Your Honor modify the Order to permit service by overnight mail.

Notwithstanding my prior letter, the purpose of this letter is to report the efforts we have made to comply with the Order. Such efforts include the following:

- On Friday, June 22, 2007, we served all Defendants with the Order and the underlying papers by overnight mail. All of the Defendants also received a letter from me acknowledging that service was not made according to the Order, but, nonetheless, confirming that Plaintiff would be appearing before the Court on the June 27th return date to seek the relief requested in the Order and to request modification of the Order to permit service by overnight mail.

*6/25/07
You can serve by overnight mail*



Hon. Colleen McMahon

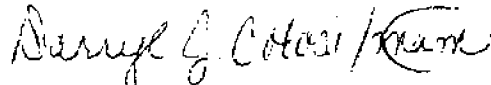
June 25, 2007

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- The following Defendants or their attorneys received a copy of the Order by fax before 5 p.m. on June 22nd: George Burkert, Anna Burkert, Douglas Patzelt, Lauren Patzelt, Orange and Rockland Utilities, Inc., Swiss North American Properties-USA, LLC, and GreenPoint Mortgage Funding, Inc. These were the only parties whose fax numbers were known to us. We also offered to provide such Defendants with a set of the underlying papers by email. They did not receive faxed copies of the underlying papers because such papers exceed 190 pages
- The following Defendants or their attorneys agreed to receive the papers by means other than hand delivery and fax by 5 p.m. on June 22nd, as required by the Order: Clark Patterson Engineers, Surveyor, and Architects, P.C., George Burkert, Anna Burkert, Douglas Patzelt, Lauren Patzelt, and Business Loan Center, Inc. All Defendants or their attorneys that we were able to contact agreed to accept service by means other than hand delivery and fax by 5 p.m. on June 22nd.
- Today, we will be attempting to serve the Order and the materials supporting it by hand upon four Defendants in northwest New Jersey (Adelia Masters, Michele Masters, William Gall, and Leslie E. Smith, Jr.) and one Defendant in Central New York State (Breakaway Trails, Inc.) We will also be coordinating the service by hand of two Defendants in southern Massachusetts (Frank and Judith LoRusso), which will likely be completed, at the latest, by Tuesday, June 26th.

My colleague, Joseph Bainton and I will be appearing before Your Honor at the scheduled return date in White Plains on June 27, 2007 at 3 p.m.

Respectfully submitted,


Darryl J. Colosi

DJC:mmm

cc: J. Joseph Bainton, Esq. (via e-mail)